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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PENDLETON DIVISION

NATURAL STRUCTURES, INC., an
Oregon corporation,
Plaintiff,

v.

**PETE VICARI GENERAL
CONTRACTOR, L.L.C.,** a Louisiana
limited liability company,
Defendant.

Case No. 2:15- cv-01763-SU

RESPONSE TO DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT (LACK OF
PERSONAL JURISDICTION);
MOTION TO DISMISS
(IMPROPER VENUE) OR,
ALTERNATIVELY, TO
TRANSFER CASE UNDER 28
USC 1631; AND MOTION TO
TRANSFER VENUE UNDER 28
USC 1404(a)

Plaintiff responds to Defendant's Motion for Summary Judgment (Lack of Personal Jurisdiction); Motion to Dismiss (Improper Venue) Or, Alternatively, to Transfer Case Under 28 USC 1631; and Motion to Transfer Venue Under 28 USC 1404(a) as follows:

1- RESPONSE TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (LACK OF PERSONAL JURISDICTION); MOTION TO DISMISS (IMPROPER VENUE) OR, ALNTERATIVELY, TO TRANSFER CASE UNDER 28 USC 1631; AND MOTION TO TRANSFER VENUE UNDER 28 USC 1404(a)

Plaintiff objects to Defendant's Motion for Summary Judgment. Defendant's actions indicate purposeful availment, the claim arises out of Defendant's forum-related activities and the exercise of jurisdiction is reasonable under the circumstances. Defendant purchased \$182,788.00 of custom pavilion structures from an Oregon corporation.

Plaintiff objects to Defendants Motion to Dismiss for Improper Venue because a substantial part of the events giving rise to the claim occurred in Oregon. The structures at issue were built in Oregon and shipped from Oregon. Defendants counter-claim is related to the quality of the structures. Plaintiffs claim is for payment for the structures.

Plaintiff objects to Defendants Motion to Transfer Venue.

DATED this 30th day of November, 2015.

BAUM SMITH, LLC
Attorney for Defendant

By: /s/ Brent H. Smith
Brent H. Smith
OSB No. 065971
Trial Attorney

2- RESPONSE TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (LACK OF PERSONAL JURISDICTION); MOTION TO DISMISS (IMPROPER VENUE) OR, ALNTERATIVELY, TO TRANSFER CASE UNDER 28 USC 1631; AND MOTION TO TRANSFER VENUE UNDER 28 USC 1404(a)